

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Rule making related to bag limits for bobcats

The Natural Resource Commission hereby amends Chapter 108, “Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 455A.5(6)“a,” 481A.38, 481A.39 and 481A.87.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 481A.87.

Purpose and Summary

Chapter 108 sets the season dates, bag limits, possession limits and areas open to hunting or trapping fur-bearing animals, including bobcats. This rule making is specific to bobcats and increases the bag limit for bobcats from one per fur harvester to three per fur harvester in the southern three tiers of counties (Adair, Adams, Appanoose, Cass, Clarke, Davis, Decatur, Des Moines, Fremont, Henry, Jefferson, Keokuk, Lee, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monroe, Montgomery, Page, Pottawattamie, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Washington, and Wayne). Population data from the past 12 years reveal that Iowa’s bobcat population continues to grow and expand its distribution into more counties with suitable habitat. These data are compiled from a variety of sources, such as hunter surveys, harvest information, field reports, and sightings. This amendment is biologically responsible, as required by law, and will increase recreational opportunities for Iowa fur harvesters while helping minimize social issues associated with high bobcat densities.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on May 8, 2019, as **ARC 4423C**. A public hearing was held on May 28, 2019, at 12 noon in Conference Room 4E, Wallace State Office Building, Des Moines, Iowa. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Commission on June 13, 2019.

Fiscal Impact

The amendment may have a minor positive fiscal impact to the State Fish and Game Protection Fund. The amendment will enable trappers and hunters to harvest additional bobcats in the affected counties, thereby potentially increasing fur harvester license sales. License revenues are deposited into the State Fish and Game Protection Fund, which is a constitutionally protected funding source for fish and wildlife activities in the state. A copy of the fiscal impact statement is available from the Department of Natural Resources (Department) upon request.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found. A copy of the jobs impact statement is available from the Department upon request.

Waivers

This rule is subject to the waiver provisions of 571—Chapter 11. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on August 7, 2019.

The following rule-making action is adopted:

Amend subrule 108.7(3) as follows:

108.7(3) Seasonal bag limit. The seasonal bag limit for river otters is 2 river otters and 1 bobcat per person. The seasonal bag limit for bobcats is 1 bobcat per person in the following counties: Audubon, Cedar, Cherokee, Clinton, Crawford, Dallas, Guthrie, Harrison, Iowa, Jackson, Jasper, Johnson, Lyon, Monona, Muscatine, Plymouth, Polk, Poweshiek, Scott, Shelby, Sioux, and Woodbury. The seasonal bag limit for bobcats is 3 bobcats per person in the following counties: Adair, Adams, Appanoose, Cass, Clarke, Davis, Decatur, Des Moines, Fremont, Henry, Jefferson, Keokuk, Lee, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monroe, Montgomery, Page, Pottawattamie, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Washington, and Wayne. River otters or bobcats trapped in excess of the seasonal bag limit or in a closed area must be turned over to the department; the trapper shall not be penalized.

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